MAY 0 5 2006

ail Stop AF

**TRANSMITTAL** 

Express Mail Label No.: EL 997383923 US Total Number of Pages in This Submission: 10

**FORM** 

(To be used for all correspondence after initial filing)

	Application Number	10/792,180
	Filing Date	March 3, 2004
	Confirmation Number	4931
	Inventor(s)	RUSSELL
	Group Art Unit	2878
	Examiner	Taninaco, M.
	Attorney Docket No.	02-68

ENCLOSURES (check all that apply)					
Fee Transmittal Form (submit in duplicate)	Assignment Papers		Issue fee Transmittal Form PTOL- 85(b) + (c) and Cover Sheet		
Fee \$	Cover Sheet		After Allowance Communication to Group		
Check No.:	Drawing Change Authorization Request and Amended Figure(	s)	Appeal Communication to Board of Appeals and Interferences		
Amendment / Response	Request for Return of PTO-144 Forms	9	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
After Final	Petition to the Commissioner		Request for Continued Examination (RCE)		
Affidavits / Declaration(s)	To Convert a Provisional Application		Status Request Letter		
Extension of Time Request	Power of Attorney, Revocation Change of Address		Small Entity Statement		
Information Disclosure Statement	Terminal Disclaimer(s)		Request for Refund		
Form PTO-1449	Certified Copy of Priority Document(s)		Response to Missing Parts / Incomplete Application		
Cited References Search report	Certificate of Mailing by Expres Mail	s			
Drawing(s): Number of Pages  Number of Figs and cover sheet  Formal  Informal	Other Enclosure(s):				
Current Due Date: May 6, 2006					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Individual and Michael W. Haas, Reg. No. 35,174 Company RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668					
Signature Michael W. Afoas					
Date May 5, 2006					
CERTIFICATE OF MAILING					
I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:  Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: May 5, 2006, Express Mail Label No. EL 997383923 US.					
Typed Name Michael W. Haas, Reg. No. 35,174					
Signature Mulaul N.	Haar	Date 1	May 5, 2006		



# Certificate of Mailing by "Express Mail"

EL 997383923 US	May 5, 2006	
"Express Mail" label number	Date of Deposit	

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to:

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450.

Michael W. Haas
Signature of person mailing correspondence

Michael W. Haas

Typed or printed name of person mailing correspondence

Note: Each paper must have its own certificate of mailing by "Express Mail".

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#### In re PATENT APPLICATION of

Inventor

RUSSELL

Appln. No.

10/792,180

Conf. No.:

4931

Filed:

March 3, 2004

Title:

IMPROVED OPTICAL SYSTEM FOR A GAS

MEASUREMENT SYSTEM

Group Art Unit

2878

Examiner

Taninaco, M.

Docket No.

02-68

May 5, 2006

# **AMENDMENT AFTER FINAL UNDER 37 C.F.R. § 1.116**

Hon. Commissioner of Patents and Trademarks Alexandria, VA 22313-1504

Sir:

#### INTRODUCTORY REMARKS

In response to the Final Official Action dated February 6, 2006, please enter the following amendments and consider the following remarks.

Amendments to the Claims are reflected in the listing of the claims, which begin on page 2 of this paper.

Remarks begin on page 6 of this paper.

### **CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on May 5, 2006 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No. EL 997383923 US.

Michael W. Haas, Reg. No. 35,174